

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LINDA L. MCCLAIN-NELSON,

Plaintiff,

v.

CASE NUMBER: 12-14490

HONORABLE VICTORIA A. ROBERTS

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 15);
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Doc. 13);
AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Doc. 11)**

Plaintiff brought this action to appeal the Commissioner of Social Security's denial of her application for disability benefits. This matter is before the Court on the parties' cross-motions for summary judgment. The Court referred those motions to Magistrate Judge Laurie J. Michelson.

On January 13, 2014, Magistrate Judge Michelson filed a Report and Recommendation ("R&R") recommending that the Court grant Defendant's motion for summary judgment and deny Plaintiff's. Magistrate Judge Michelson found that: (1) any error in the Administrative Law Judge's ("ALJ") failure to give appropriate weight to the treating physician was harmless; and (2) there was not a compelling reason to disturb the ALJ's credibility determinations.

On January 27, 2014, Plaintiff filed objections to the R&R; Plaintiff objects to both of the Magistrate's findings. Defendant responded to the objections.

This Court reviews *de novo* a Magistrate Judge's Report and Recommendation on a dispositive motion that is objected to properly. 28 U.S.C. § 636(b)(1). After

carefully reviewing the cross motions for summary judgment, the R&R, Plaintiff's objections, and the remainder of the record, the Court agrees with Magistrate Judge Michelson's conclusions.

Magistrate Judge Michelson accurately laid out the facts and relevant portions of the administrative record; she engaged in a thorough analysis of the issues and provided reasoned explanations for her conclusions. In reaching her conclusions, Magistrate Judge Michelson considered the entire record and applied the appropriate standard for review of an ALJ's decision.

Accordingly, the Court **ADOPTS** Magistrate Judge Michelson's Report and Recommendation. Defendant's motion for summary judgment is **GRANTED**; Plaintiff's motion for summary judgment is **DENIED**. The decision of the Commissioner of Social Security is **AFFIRMED**.

S/Victoria A. Roberts

Victoria A. Roberts
United States District Judge

Dated: March 13, 2014

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on March 13, 2014.

S/Carol A. Pinegar
Deputy Clerk